

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JETZ MIDWEST, Inc.,)	
)	
Plaintiff,)	4:09CV3000
)	
v.)	
)	
KAPLAN HIGHER EDUCATION)	MEMORANDUM AND ORDER
CORPORATION,)	
)	
Defendant.)	

The defendant has filed a Motion to Compel Alternative Dispute Resolution and Motion to Stay, (filing no. [45](#)), requesting a stay of this litigation and an order requiring the parties to mediate their dispute. The plaintiff objects to staying this lawsuit, and objects to participating in mediation in the absence of anything more than a nuisance value offer from the defendant. The parties do not mutually agree to the terms or potential merit of engaging in mediation. Accordingly,

IT IS ORDERED that the plaintiff's objection, (filing no. [47](#)), is granted, and defendant's Motion to Compel Alternative Dispute Resolution and Motion to Stay, (filing no. [45](#)), is denied.

DATED this 17th day of August, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge